

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

In re:

**Brian L. Hutchison  
Donna L. Hutchison  
aka Donna L. Moon**  
Debtor(s)

Bankruptcy Case No.: 12-24501-GLT  
Issued Per 8/3/2017 Proceeding  
Chapter: 13  
Docket No.: 91 - 88  
Concil. Conf.: August 3, 2017 at 09:00 AM

**ORDER OF COURT CONFIRMING PLAN AS MODIFIED  
AND SETTING DEADLINES FOR CERTAIN ACTIONS**

**(1.) PLAN CONFIRMATION:**

IT IS HEREBY ORDERED that upon consent of the Debtor(s), the Chapter 13 Plan dated June 28, 2017 is CONFIRMED as modified at the Plan confirmation hearing. Terms of the Plan not expressly modified by this Order remain in full force and effect. A copy of this Plan was previously mailed to you. *Only those provisions which are checked below apply to this case:*

- ☒ A. For the remainder of the Plan term, the periodic Plan payment is amended to be \$2,748.00 as of August, 2017. Debtor(s)' counsel shall file a motion to amend the income attachment order within seven (7) days of the date of this Order.
- ☐ B. The length of the Plan is increased to a total of months. This statement of duration of the Plan is an approximation. The Plan shall not be completed until the goals of the Plan have been achieved. The total length of the Plan shall not exceed sixty (60) months.
- ☐ C. Plan confirmation is on an interim basis only as a form of adequate protection. The Trustee is authorized to distribute to secured and priority creditors with percentage fees. ***A final plan conciliation conference will be held on Aug. 3, 2017 at 09:00 AM, in 3251 U.S. Steel Tower, 600 Grant Street, Pittsburgh, PA 15219.*** If the Parties cannot resolve all disputes at the conciliation conference, a hearing will be scheduled and orally announced at the conclusion of the conference without any further written notice to any party. Parties are directed to monitor the Court's docket and read the Chapter 13 Trustee's minutes of the conciliation conference to the extent such parties desire more information regarding the outcome of the conciliation conference.
- ☐ D. Plan confirmation is subject to the resolution of all actions to determine the avoidability, priority, or extent of liens; including determination of the allowed amount of secured claims under 11 U.S.C. §506, disputes over the amount and allowance of claims entitled to priority under 11 U.S.C. §507, and all objections to claims.
- ☐ E. The allowed claims of general unsecured creditors shall be paid from available funds on a pro rata basis, which may represent an increase or decrease in the amount projected in the Plan.
- ☐ F. shall be paid monthly payments of \$ beginning with the Trustee's distribution and continuing for the duration of the plan term, to be applied by that creditor to its administrative claim, budget payments and/or security deposit. These payments shall be at the third distribution level.
- ☐ G. The claims of the following creditors shall govern as to amount, classification and rate of interest (or as otherwise noted), unless the Debtor(s) successfully objects to the claim: .
- ☒ H. Additional Terms: As to the secured claim(s) of the following Creditor(s) the monthly postpetition payments shall be based on allowed payment changes of record: HSBC (c/o Ocwen, no proof of claim); Wilmington Savings Fund Society.

**(2.) IT IS FURTHER ORDERED THAT THE FOLLOWING DEADLINES ARE ESTABLISHED:**

**A. Objections to the Plan.** Pursuant to *Fed.R.Bankr.P. 2002(b)*, this Order shall not become final for a period of twenty-eight (28) days. Any party in interest with an objection to any provision of this Confirmation Order must file a written objection within that twenty-eight (28) day period. Failure to timely object shall be deemed a waiver of all objections and an acceptance of the provisions of this confirmed Plan. The Trustee may disburse funds pursuant to this confirmation order upon its entry.

**B. Applications to retain brokers, sales agents, or other professionals.** If the Plan contemplates sales of assets or litigation proceeds as a source of funding, Debtor(s) shall file motion(s) to employ the necessary professionals within thirty (30) days hereof.

**C. Review of Claims Docket and Objections to Claims.** Pursuant to *W.PA.LBR 3021-1(c)(2)*, the Debtor or Debtor's attorney, if represented, shall review the proofs of claim filed and shall file objections to any disputed claims within ninety (90) days after the claims bar date or, for late filed or amended claims, within ninety (90) days after they are filed and served. Absent an objection, the proof of claim will govern as to the classification and amount of the claim. Objections filed after the ninety (90) days specified herein shall be deemed untimely.

**D. Motions or Complaints Pursuant to §§506, 507 or 522.** All actions to determine the priority, avoidability, or extent of liens, all actions pursuant to *11 U.S.C. §§506, 507 and 522* shall be filed within ninety (90) days after the claims bar date.

**E. Filing Amended Plans.** Within fourteen (14) days after the Bankruptcy Court resolves the priority, avoidability, or extent of a lien, or any objection to claim, the Debtor(s) shall file an amended Plan to provide for the allowed amount of the claim if the allowed amount differs from the amount stated in the plan. Debtor(s) shall also file an amended Plan within thirty (30) days after the claims bar date(s) in the event that no objection is filed and the claim(s) as filed causes the Plan to be underfunded.

(3.) ***IT IS FURTHER ORDERED THAT:***

**A.** After the claims objection deadline, the Plan shall be deemed amended to conform to the claims filed or otherwise allowed. If the Plan expressly modified the terms of payment to any creditor pursuant to *11 U.S.C. §1322(b)(2)*, nothing in this Order shall be construed to change the payment terms established in the Plan.

**B.** Any creditor who files or amends a proof of claim shall serve a copy on the Debtor(s) or counsel for the Debtor(s).

**C.** Any creditor whose payment changes due to variable interest rates, change in escrow, or change in monthly payments, shall notify the Trustee, Debtor(s)' counsel and Debtor(s) at least twenty-one (21) days prior to the change taking effect.

**D.** Debtor's counsel must file a fee application in accordance with *W.PA.LBR 2016-1* before attorney fees in excess of the "no look" provision (including retainer) will be allowed or paid.

**E.** The Trustee shall file a *Certificate of Default and Request for Dismissal* of the case in the event of a material Plan default. If the default involves failure to make a plan payment the case will result in dismissal without further hearing upon filing and service of an *Affidavit of Default* by the Trustee. The Trustee is not precluded from raising pre-confirmation defaults in any subsequent motion to dismiss.

**F.** In the event that any order is entered in this case granting relief from the automatic stay to a secured creditor, then the Trustee shall make no further disbursements to any creditor on account of any ***secured claim*** that is secured by the subject property, unless directed otherwise by further Order of Court.



Gregory A. Taddonio, Judge  
United States Bankruptcy Court

Dated: August 4, 2017

cc: All Parties in Interest to be served by Clerk in seven (7) days

**Certificate of Notice Page 4 of 5**  
 United States Bankruptcy Court  
 Western District of Pennsylvania

In re:  
 Brian L. Hutchison  
 Donna L. Hutchison  
 Debtors

Case No. 12-24501-GLT  
 Chapter 13

**CERTIFICATE OF NOTICE**

District/off: 0315-2

User: dbas  
 Form ID: 149

Page 1 of 2  
 Total Noticed: 35

Date Rcvd: Aug 04, 2017

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Aug 06, 2017.

db/jdb  
 cr +Brian L. Hutchison, Donna L. Hutchison, 118 Seville Avenue, Pittsburgh, PA 15214-1030  
 cr Duquesne Light Company, c/o Peter J. Ashcroft, 2200 Gulf Tower, Pittsburgh, PA 15219  
 cr +Equitable Gas Bankruptcy Department, Attn: Judy Gawlowski, 225 North Shore Drive 2nd Floor,  
 Pittsburgh, PA 15212-5860  
 cr +HSBC Bank, National Association, as Trustee by its, Stern & Eisenberg, PC, 410 The Pavilion,  
 261 Old York Road, Jenkintown, PA 19046-3706  
 13555436 +American InfoSource LP as agent for, DIRECTV, LLC, Mail Station N387, 2230 E Imperial Hwy,  
 El Segundo, CA 90245-3504  
 13463448 +Babcock Dental, 3372 Babcock Boulevard, Pittsburgh, PA 15237-2422  
 13500116 Capital One Bank (USA), N.A., PO Box 71083, Charlotte, NC 28272-1083  
 13463449 +Comcast Cable, 300 Corliss Street, Pittsburgh, PA 15220-4864  
 13463451 +DIRECTV LLC, ATTN BANKRUPTCIES, PO BOX 6550, GREENWOOD VILLAGE CO 80155-6550  
 (address filed with court: Direct TV, P. O Box 9001069, Louisville, KY 40269)  
 13463453 +Equitable Gas Company, 200 Allegheny Center Mall, Attention: Judy Gawlowski,  
 Pittsburgh, PA 15212-5339  
 13463454 +HSBC Mortgage Services, P. O. Box 9068, Brandon, FL 33509-9068  
 13508836 +HSBC Mortgage Services Inc, PO Box 21188, Eagan, MN 55121-0188  
 13463456 +Jordan Tax Service, 7100 Baptist Road, Bethel Park, PA 15102-3908  
 13463457 +Mark J. Udren, Esquire, Udren Law Offices, Woodcrest Corporate Center,  
 111 Woodcrest Road, Suite 200, Cherry Hill, NJ 08003-3620  
 13482152 +North Hills School District, 135 Sixth Avenue, Pittsburgh, PA 15229-1299  
 13482153 +Ocwen Loan Servicing LLC, P. O. Box 6440, Carol Stream, IL 60197-6440  
 13482154 +Peter Ashcroft, Esquire, Bernstein law firm, 2200 Gulf Tower, 707 Grant Street,  
 Pittsburgh, PA 15219-1900  
 13463459 +Sears, c/o Paul Ressler, Esquire, 21 Yost Boulevard, #301, Pittsburgh, PA 15221-5283  
 13482157 Township of Ross, c/o Brian t. Lindauer, Esq., 437 Grant Street, 1424 Frick Building,  
 Pittsburgh, PA 15219  
 13463460 Verizon, P. O. Box 646, Baltimore, MD 21265-0646  
 13463462 +WPAH-West Penn Hospital, 2121 Noblestown Road, Pittsburgh, PA 15205-3956  
 13463461 +Wells Fargo Bank, as Trustee, 4708 Mercantile Drive, Fort Worth, TX 76137-3605  
 14417008 +Wilmington Savings Fund Society, FSB, d, Serviced by Select Portfolio Servicing,,  
 3217 S. Decker Lake Dr., Salt Lake City, UT 84119-3284

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.

cr +Fax: 407-737-5634 Aug 05 2017 01:46:00 Ocwen Loan Servicing, LLC, 1661 Worthington Road,  
 Suite 100, West Palm Beach, FL 33409-6493  
 cr E-mail/Text: electronicbkdocs@nelnet.net Aug 05 2017 01:20:49 US Department of Education,  
 C/O Nelnet, 3015 South Parker Road, Aurora, CO 80014-2904  
 13482145 +E-mail/Text: BANKRUPTCY@ASSETACCEPTANCE.COM Aug 05 2017 01:20:40 Asset Acceptance LLC.,  
 P. O. Box 2036, Warren, MI 48090-2036  
 13463450 +E-mail/Text: BANKRUPTCY@ASSETACCEPTANCE.COM Aug 05 2017 01:20:40  
 Direct Merchants Bank c/o Asset Accept., P. O. Box 2036, Warren, MI 48090-2036  
 13463452 +E-mail/Text: DQNOTICES@BERNSTEINLAW.COM Aug 05 2017 01:21:17 Duquesne Light Company,  
 Attn: Mark Watson, Credit Activities, 411 Seventh Avenue (6-2), Pittsburgh, PA 15219-1942  
 13482149 E-mail/Text: JCAB\_BNC\_Notices@jcap.com Aug 05 2017 01:20:54 Jefferson Capital Systems LLC,  
 P. O. Box 7999, Saint Cloud, MN 56302  
 13463455 +E-mail/Text: DQNOTICES@BERNSTEINLAW.COM Aug 05 2017 01:21:17 James Wallace, Esquire,  
 Griffith, McCague & Wallace, 38TH Floor, Gulf Tower, 707 Grant Street,  
 Pittsburgh, PA 15219-1926  
 13482150 +E-mail/PDF: resurgentbknofications@resurgent.com Aug 05 2017 01:24:45  
 LVNV Funding LLC (Sears), P. O. Box 10497, Greenville, SC 29603-0497  
 13463458 +E-mail/Text: bankruptcydpt@mcmcg.com Aug 05 2017 01:20:41 Newport News,  
 c/o Midland Credit, 8875 Aero Drive, San Diego, CA 92123-2251  
 13482155 E-mail/PDF: PRA\_BK2\_CASE\_UPDATE@portfoliorecovery.com Aug 05 2017 01:43:16  
 Portfolio Recovery Associates, 120 Corporate Boulevard, Suite 100, Norfolk, VA 23502  
 13482340 E-mail/Text: ebn@vativrecovery.com Aug 05 2017 01:20:25 Palisades Acquisition XVI, LLC,  
 Vativ Recovery Solutions LLC, dba SMC, As Agent For Palisades Acquisition XVI,,  
 PO Box 40728, Houston TX 77240-0728  
 14053494 E-mail/Text: electronicbkdocs@nelnet.net Aug 05 2017 01:20:49 US Department of Education,  
 C/O Nelnet, 3015 South Parker Road Suite 400, Aurora CO 80014-2904

TOTAL: 12

\*\*\*\*\* BYPASSED RECIPIENTS (undeliverable, \* duplicate) \*\*\*\*\*

cr Hsbc Bank USA, National Association As Trustee For  
 cr Wilmington Savings Fund Society, FSB, d/b/a Christ  
 13482146\* +Babcock Dental, 3372 Babcock Boulevard, Pittsburgh, PA 15237-2422  
 13482147\* +Duquesne Light Company, Attn: Mark Watson, Credit Activities, 411 Seventh Avenue (6-2),  
 Pittsburgh, PA 15219-1942  
 13482148\* +HSBC Mortgage Services, P. O. Box 9068, Brandon, FL 33509-9068  
 13505776\* +JEFFERSON CAPITAL SYSTEMS LLC, PO BOX 7999, SAINT CLOUD MN 56302-7999  
 (address filed with court: Jefferson Capital Systems LLC, PO BOX 7999,  
 SAINT CLOUD MN 56302-9617)

District/off: 0315-2

User: dbas  
Form ID: 149

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Total Noticed: 35

Date Rcvd: Aug 04, 2017

\*\*\*\*\* BYPASSED RECIPIENTS (continued) \*\*\*\*\*  
13482151\* +Mark J. Udren, Esquire, Udren Law Offices, Woodcrest Corporate Center,  
111 Woodcrest Road, Suite 200, Cherry Hill, NJ 08003-3620  
13482158\* Verizon, P. O. Box 646, Baltimore, MD 21265-0646  
cr ##+SELECT PORTFOLIO SERVICING, INC, 3815 South West Temple, Salt Lake City, UT 84115-4412  
13482156 ##+Saxon Mortgage, 4708 Mercantile Drive, Fort Worth, TX 76137-3605  
TOTALS: 2, \* 6, ## 2

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.  
USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

Addresses marked '++' were redirected to the recipient's preferred mailing address  
pursuant to 11 U.S.C. 342(f)/Fed.R.Bank.PR.2002(g)(4).

Addresses marked '##' were identified by the USPS National Change of Address system as undeliverable. Notices  
will no longer be delivered by the USPS to these addresses; therefore, they have been bypassed. The  
debtor's attorney or pro se debtor was advised that the specified notice was undeliverable.

**I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner  
shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.**

**Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social  
Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required  
by the bankruptcy rules and the Judiciary's privacy policies.**

Date: Aug 06, 2017

Signature: /s/Joseph Speetjens

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## CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email)  
system on August 4, 2017 at the address(es) listed below:

David Z. Valencik on behalf of Debtor Brian L. Hutchison dvalencik@c-vlaw.com,  
cvlaw.ecf.dvalencik@gmail.com; aheath@c-vlaw.com; kmosur@c-vlaw.com; bhassain@c-vlaw.com  
David Z. Valencik on behalf of Joint Debtor Donna L. Hutchison dvalencik@c-vlaw.com,  
cvlaw.ecf.dvalencik@gmail.com; aheath@c-vlaw.com; kmosur@c-vlaw.com; bhassain@c-vlaw.com  
Donald R. Calaiaro on behalf of Debtor Brian L. Hutchison dcalaiaro@c-vlaw.com,  
cvlaw.ecf.dcalaiaro@gmail.com; aheath@c-vlaw.com; kmosur@c-vlaw.com; bhassain@c-vlaw.com  
Donald R. Calaiaro on behalf of Joint Debtor Donna L. Hutchison dcalaiaro@c-vlaw.com,  
cvlaw.ecf.dcalaiaro@gmail.com; aheath@c-vlaw.com; kmosur@c-vlaw.com; bhassain@c-vlaw.com  
James Warmbrodt on behalf of Creditor Wilmington Savings Fund Society, FSB, d/b/a Christiana  
Trust, as indenture trustee, for the CSMC 2017-1 Trust, Mortgage-Backed Notes, Series 2017-1  
bkgroup@kmlawgroup.com  
Kevin P. Diskin on behalf of Creditor HSBC Bank, National Association, as Trustee by its  
attorney in fact Ocwen Loan Servicing, LLC kpdiskin@duanemorris.com, mbilotta@duanemorris.com  
Leslie J. Rase, Esq. on behalf of Creditor Ocwen Loan Servicing, LLC lrased@sterneisenberg.com,  
ddelvechio@sterneisenberg.com; dbogucki@sterneisenberg.com  
Mario J. Hanyon on behalf of Creditor Hsbc Bank USA, National Association As Trustee For et  
al. pawb@fedphe.com  
Mark B. Peduto on behalf of Debtor Brian L. Hutchison pandaecfinbox@yahoo.com  
Mark B. Peduto on behalf of Joint Debtor Donna L. Hutchison pandaecfinbox@yahoo.com  
Office of the United States Trustee ustpreion03.pi.ecf@usdoj.gov  
Peter J. Ashcroft on behalf of Creditor Duquesne Light Company pashcroft@bernsteinlaw.com,  
ckutch@ecf.courtdrive.com; pashcroft@ecf.courtdrive.com; pghecf@bernsteinlaw.com; dschimizzi@bernste  
inlaw.com; acarr@bernsteinlaw.com; cabbott@ecf.courtdrive.com  
Ronda J. Winnecour cmecf@chapter13trusteedpa.com  
S. James Wallace on behalf of Creditor Equitable Gas Bankruptcy Department sjw@sjwpgh.com,  
Equitablebankruptcy@peoples-gas.com; srk@sjwpgh.com

TOTAL: 14